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SUMMARY OF FINDINGS

The committee finds that the reason actuating the authorities of the University of Colorado in the spring of 1915 in not reappointing Professor Brewster, or in not making his temporary appointment permanent, was not, as charged, Professor Brewster's testimony before the United States Commission on Industrial Relations nor his utterances or opinions on industrial questions in Colorado. On the contrary, the committee is satisfied on the evidence that the University authorities had in mind, prior to the original appointment of Mr. Brewster, a plan for the reconstruction of the law faculty upon the payment of the Thomson bequest; that Professor Brewster's appointment was legally for one year only and was not intended to be renewed or extended beyond the time when payment of the bequest should make the reconstruction possible; and that this contingency occurred in the spring of 1915, when steps were taken to realize the planned reorganization, with the anticipated result of the non-reappointment of Professor Brewster.

The committee further finds that the evidence does not sustain the charge that President Farrand threatened Professor Brewster, in the conversation of May 7, 1915, with dismissal if the latter should go to Washington to testify a second time before the Industrial Commission. On the contrary, while the committee cannot, from the nature of the case, absolutely declare that the threat was not made, it finds that the evidence distinctly indicates improbability that such a threat was made.

These findings involve the exoneration of the authorities of the University of Colorado from any charge of infringement of academic freedom in their action with respect to Professor Brewster. The implied intimation of President Farrand in the conversation of May 7 that permanent members of the Colorado faculty do not in his opinion have full liberty in the performance of civic duties, while de-

plorable, was purely inferential and apparently unconscious; it was not presented as a principle that would be brought to bear in any concrete case. It appears reasonable to assume that the true attitude of President Farrand was expressed in December, 1914. When actually called upon by the governor of the State to commit an infringement of academic freedom, under circumstances that would have clouded the vision of an executive who might be inclined to put the immediate wants of his institution above principles of more remote value, we find President Farrand firmly acting for the ultimate welfare of the university, and asserting the principle that the conscientious utterances of a university professor in the performance of duties imposed upon him as a citizen may not be called in question by the administrative authorities of the institution with which he is professionally connected.

The committee finds also that Professor Brewster suffered substantial injury by action of the University of Colorado authorities, prior to the publication of his charges, in only one particular: the lateness of the date at which, after having received from an administrative officer some reason for anticipating reappointment, he was given notice that he would not be reappointed. It would seem that the University of Colorado—like many other institutions—has hitherto failed to adhere to what should be the universal rule in these matters—a rule reasonable in itself, which in this instance would have saved the University and all concerned much embarrassment and misunderstanding: namely, that all university teachers whose terms are about to expire should receive definite notice not later than three months before the end of the academic year whether their appointment is to be renewed.

Respectfully submitted:

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